

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

PRINCE D. KEY,

Plaintiff,

v.

ORDER

SANDRA MCARDLE, JOLINDA WATERMAN,
BETH EDGE, MICHAEL SNODGRASS,
SCOTT A. HOFTIEZER, and JAMES GREER,

18-cv-510-jdp

Defendants.

Plaintiff Prince D. Key, appearing pro se, brings this lawsuit alleging that defendant prison officials violated his rights by failing to properly treat his injured knee, ulcerative colitis, and the pain from those problems, and that they failed to respond to a medical emergency when he woke up with a swollen chest. Key has filed a motion for default judgment against defendant Sandra McArdle.

But McArdle has appropriately answered within her time for doing so. The Wisconsin Department of Justice did not accept service on McArdle's behalf, *see* Dkt. 8, and the court directed the United States Marshal to serve McArdle, Dkt. 10. McArdle filed her answer about ten days after being served by the Marshal. *See* Dkt. 12; Dkt. 13. Key filed this motion a day after McArdle's answer was placed in the mail, so it appears that Key filed his motion as McArdle's timely answer was in the mail. Because McArdle's answer is timely, I will deny Key's motion.

ORDER

IT IS ORDERED that plaintiff Prince D. Key's motion for entry of default judgment, Dkt. 19, is DENIED.

Entered October 29, 2018.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge